

85  
Rev

**AMENDMENT TO H.R. 6**  
**OFFERED BY MR. BARTON OF TEXAS**

In the item in the table of contents relating to section 142, strike "cdbg" and insert "CDBG".

In section 105(a)(1), strike "Section 801(a)" and insert "Section 801(a)(2)".

In section 105(a)(1), strike "(42 U.S.C. 8287(a))" and insert "(42 U.S.C. 8287(a)(2))".

In section 105(a)(1), in the proposed subparagraph (E), insert "and report to the Office of Management and Budget" after "shall meet monthly".

In section 105(a)(1), in the proposed subparagraph (E), insert "No Federal agency shall enter into a contract under this title unless the Office of Management and Budget has approved such contract." after "contracts are not exceeded."

In section 105, strike subsections (c), (d), (e), (f), and (g), and redesignate subsection (h) as subsection (c).

In section 133(b), in the proposed subsection (f), strike "for suspended ceiling fans,"; and strike the last sentence.



In section 133(c), in the proposed subsection (v), strike "SUSPENDED CEILING FANS, VENDING MACHINES," and insert "VENDING MACHINES" in the subsection heading.

In section 133(c), in the proposed subsection (v), strike "suspended ceiling fans, refrigerated bottled or canned beverage vending machines," and insert "refrigerated bottled or canned beverage vending machines".

In section 136, strike "Section 327" and insert "Effective 3 years after the date of enactment of this Act, section 327".

In section 136, redesignate the proposed subsection (h) as subsection (i).

In section 136, in the proposed subsection (i)(1) (as so redesignated by the preceding amendment), strike "or revised" both places it appears.

In section 148 of the bill, strike subparagraph (B) of paragraph (1) and insert the following:

1 (B) in paragraph (2), by inserting "  
2 and, with respect to rehabilitation and new  
3 construction of public and assisted housing  
4 funded by HOPE VI revitalization grants  
5 under section 24 of the United States



1           Housing Act of 1937 (42 U.S.C. 1437v),  
2           the 2003 International Energy Conserva-  
3           tion Code” after “90.1–1989”);

          In section 148 of the bill, strike subparagraph (B)  
of paragraph (2) and all that follows through the end of  
paragraph (3) and insert the following:

4                   (B) by inserting “, and, with respect  
5                   to rehabilitation and new construction of  
6                   public and assisted housing funded by  
7                   HOPE VI revitalization grants under sec-  
8                   tion 24 of the United States Housing Act  
9                   of 1937 (42 U.S.C. 1437v), the 2003  
10                  International Energy Conservation Code”  
11                  before the period at the end; and

12               (3) in subsection (c)—

13                   (A) in the heading, by inserting “AND THE  
14                   INTERNATIONAL ENERGY CONSERVATION  
15                   CODE” after “MODEL ENERGY CODE”; and

16                   (B) by inserting “, or, with respect to re-  
17                   habilitation and new construction of public and  
18                   assisted housing funded by HOPE VI revital-  
19                   ization grants under section 24 of the United  
20                   States Housing Act of 1937 (42 U.S.C. 1437v),  
21                   the 2003 International Energy Conservation  
22                   Code” after “1989”.



In section 205(a), in the proposed section 570(a)(1), strike "Secretary" and insert "Administrator of General Services".

In section 205(a), in the proposed section 570(a)(4), strike "Secretary" and insert "Administrator".

In section 205(a), in the proposed section 570(b)(1), strike "Secretary" and insert "Administrator".

In section 205(a), in the proposed section 570(b)(2), strike "Secretary" and insert "Administrator".

In section 205(a), strike "Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.)" and insert "Subchapter VI of chapter 31 of title 40, United States Code,".

In section 205(a), at the beginning of the quoted material, strike "SEC. 570." and insert "§3177."

Strike section 206 (and amend the table of contents accordingly).

Strike section 244 (and amend the table of contents accordingly).

Strike section 245 (and amend the table of contents accordingly).



In title III, after section 330, insert the following new section (and amend the table of contents accordingly):

1 **SEC. 332. NATURAL GAS MARKET REFORM.**

2 (a) **CLARIFICATION OF EXISTING CFTC AUTHOR-**  
3 **ITY.—**

4 (1) **FALSE REPORTING.**—Section 9(a)(2) of the  
5 Commodity Exchange Act (7 U.S.C. 13(a)(2)) is  
6 amended by striking “false or misleading or know-  
7 ingly inaccurate reports” and inserting “knowingly  
8 false or knowingly misleading or knowingly inac-  
9 curate reports”.

10 (2) **COMMISSION ADMINISTRATIVE AND CIVIL**  
11 **AUTHORITY.**—Section 9 of the Commodity Exchange  
12 Act (7 U.S.C. 13) is amended by redesignating sub-  
13 section (f) as subsection (e), and adding:

14 “(f) **COMMISSION ADMINISTRATIVE AND CIVIL AU-**  
15 **THORITY.**—The Commission may bring administrative or  
16 civil actions as provided in this Act against any person  
17 for a violation of any provision of this section including,  
18 but not limited to, false reporting under subsection  
19 (a)(2).”.

20 (3) **EFFECT OF AMENDMENTS.**—The amend-  
21 ments made by paragraphs (1) and (2) restate, with-  
22 out substantive change, existing burden of proof pro-

1 visions and existing Commission civil enforcement  
2 authority, respectively. These clarifying changes do  
3 not alter any existing burden of proof or grant any  
4 new statutory authority. The provisions of this sec-  
5 tion, as restated herein, continue to apply to any ac-  
6 tion pending on or commenced after the date of en-  
7 actment of this Act for any act, omission, or viola-  
8 tion occurring before, on, or after, such date of en-  
9 actment.

10 (b) FRAUD AUTHORITY.—Section 4b of the Com-  
11 modity Exchange Act (7 U.S.C. 6b) is amended—

12 (1) by redesignating subsections (b) and (c) as  
13 subsections (c) and (d), respectively; and

14 (2) by striking subsection (a) and inserting the  
15 following:

16 “(a) It shall be unlawful—

17 “(1) for any person, in or in connection with  
18 any order to make, or the making of, any contract  
19 of sale of any commodity for future delivery or in  
20 interstate commerce, that is made, or to be made, on  
21 or subject to the rules of a designated contract mar-  
22 ket, for or on behalf of any other person; or

23 “(2) for any person, in or in connection with  
24 any order to make, or the making of, any contract  
25 of sale of any commodity for future delivery, or



1 other agreement, contract, or transaction subject to  
2 section 5a(g) (1) and (2) of this Act, that is made,  
3 or to be made, for or on behalf of, or with, any other  
4 person, other than on or subject to the rules of a  
5 designated contract market—

6 “(A) to cheat or defraud or attempt to  
7 cheat or defraud such other person;

8 “(B) willfully to make or cause to be made  
9 to such other person any false report or state-  
10 ment or willfully to enter or cause to be entered  
11 for such other person any false record;

12 “(C) willfully to deceive or attempt to de-  
13 ceive such other person by any means whatso-  
14 ever in regard to any order or contract or the  
15 disposition or execution of any order or con-  
16 tract, or in regard to any act of agency per-  
17 formed, with respect to any order or contract  
18 for or, in the case of subsection (a)(2), with  
19 such other person; or

20 “(D)(i) to bucket an order if such order is  
21 either represented by such person as an order  
22 to be executed, or required to be executed, on  
23 or subject to the rules of a designated contract  
24 market; or



1           “(ii) to fill an order by offset against the  
2           order or orders of any other person, or willfully  
3           and knowingly and without the prior consent of  
4           such other person to become the buyer in re-  
5           spect to any selling order of such other person,  
6           or become the seller in respect to any buying  
7           order of such other person, if such order is ei-  
8           ther represented by such person as an order to  
9           be executed, or required to be executed, on or  
10          subject to the rules of a designated contract  
11          market.

12          “(b) Subsection (a)(2) shall not obligate any person,  
13          in connection with a transaction in a contract of sale of  
14          a commodity for future delivery, or other agreement, con-  
15          tract or transaction subject to section 5a(g) (1) and (2)  
16          of this Act, with another person, to disclose to such other  
17          person nonpublic information that may be material to the  
18          market price of such commodity or transaction, except as  
19          necessary to make any statement made to such other per-  
20          son in connection with such transaction, not misleading  
21          in any material respect.”.

22          (c) JURISDICTION OF THE CFTC.—The Natural Gas  
23          Act (15 U.S.C. 717 et seq.) is amended by adding at the  
24          end:



1   **"SEC. 26. JURISDICTION.**

2       "This Act shall not affect the exclusive jurisdiction  
3 of the Commodity Futures Trading Commission with re-  
4 spect to accounts, agreements, contracts, or transactions  
5 in commodities under the Commodity Exchange Act (7  
6 U.S.C. 1 et seq.). Any request for information by the Com-  
7 mission to a designated contract market, registered deriva-  
8 tives transaction execution facility, board of trade, ex-  
9 change, or market involving accounts, agreements, con-  
10 tracts, or transactions in commodities (including natural  
11 gas, electricity, and other energy commodities) within the  
12 exclusive jurisdiction of the Commodity Futures Trading  
13 Commission shall be directed to the Commodity Futures  
14 Trading Commission, which shall cooperate in responding  
15 to any information request by the Commission."

16       (d) INCREASED PENALTIES.—Section 21 of the Nat-  
17 ural Gas Act (15 U.S.C. 717t) is amended—

18           (1) in subsection (a)—

19               (A) by striking "\$5,000" and inserting  
20               "\$1,000,000"; and

21               (B) by striking "two years" and inserting  
22               "5 years"; and

23           (2) in subsection (b), by striking "\$500" and  
24           inserting "\$50,000".



In section 441(a), in the proposed section 3105(b)(1), insert “or equal to” after “projects less than”.

In section 640, strike “Section 3110” and insert “Section 3110(a)”.

In section 640, in the proposed paragraph (8), strike “Not later than” and insert “To the extent appropriations are provided in advance for this purpose or are otherwise available, not later than”.


In section 663, at the beginning of the quoted material, strike “(z)” and insert “z.”.

In section 663, in the proposed subsection z.(1), strike “section 922(o), (v), and (w)” and insert “section 922(a)(4) and (o)”.

In section 663, in the proposed subsection z.(2)(A), strike “, (o), (v), and (w)” and insert “and (o)”.

In section 722(b)(1)(B), strike “, scooters,”.

In title VII, amend section 753 to read as follows:

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- 1 **SEC. 753. AVIATION FUEL CONSERVATION AND EMISSIONS.**  
2 (a) IN GENERAL.—Not later than 60 days after the  
3 date of enactment of this Act, the Administrator of the  
4 Federal Aviation Administration and the Administrator of

1 the Environmental Protection Agency shall jointly initiate  
2 a study to identify—

3 (1) the impact of aircraft emissions on air qual-  
4 ity in nonattainment areas;

5 (2) ways to promote fuel conservation measures  
6 for aviation to enhance fuel efficiency and reduce  
7 emissions; and

8 (3) opportunities to reduce air traffic inefficien-  
9 cies that increase fuel burn and emissions.

10 (b) FOCUS.—The study under subsection (a) shall  
11 focus on how air traffic management inefficiencies, such  
12 as aircraft idling at airports, result in unnecessary fuel  
13 burn and air emissions.

14 (c) REPORT.—Not later than 1 year after the date  
15 of the initiation of the study under subsection (a), the Ad-  
16 ministrator of the Federal Aviation Administration and  
17 the Administrator of the Environmental Protection Agen-  
18 cy shall jointly submit to the Committee on Energy and  
19 Commerce and the Committee on Transportation and In-  
20 frastructure of the House of Representatives and the Com-  
21 mittee on Environment and Public Works and the Com-  
22 mittee on Commerce, Science, and Transportation of the  
23 Senate a report that—

24 (1) describes the results of the study; and



1 (2) includes any recommendations on ways in  
2 which unnecessary fuel use and emissions affecting  
3 air quality may be reduced—

4 (A) without adversely affecting safety and  
5 security and increasing individual aircraft noise;  
6 and

7 (B) while taking into account all aircraft  
8 emissions and the impact of those emissions on  
9 the human health.

10 (d) RISK ASSESSMENTS.—Any assessment of risk to  
11 human health and the environment prepared by the Ad-  
12 ministrator of the Federal Aviation Administration or the  
13 Administrator of the Environmental Protection Agency to  
14 support the report in this section shall be based on sound  
15 and objective scientific practices, shall consider the best  
16 available science, and shall present the weight of the sci-  
17 entific evidence concerning such risks.

In title VII, amend section 756 to read as follows:

18 **SEC. 756. REDUCTION OF ENGINE IDLING OF HEAVY-DUTY**  
19 **VEHICLES.**

20 (a) DEFINITIONS.—In this section:

21 (1) ADMINISTRATOR.—The term “Adminis-  
22 trator” means the Administrator of the Environ-  
23 mental Protection Agency.



1           (2) ADVANCED TRUCK STOP ELECTRIFICATION  
2       SYSTEM.—The term “advanced truck stop elec-  
3       trification system” means a stationary system that  
4       delivers heat, air conditioning, electricity, or commu-  
5       nications, and is capable of providing verifiable and  
6       auditable evidence of use of those services, to a  
7       heavy-duty vehicle and any occupants of the heavy-  
8       duty vehicle with or without relying on components  
9       mounted onboard the heavy-duty vehicle for delivery  
10      of those services.

11           (3) AUXILIARY POWER UNIT.—The term “auxil-  
12      iary power unit” means an integrated system that—

13                (A) provides heat, air conditioning, engine  
14                warming, or electricity to components on a  
15                heavy-duty vehicle; and

16                (B) is certified by the Administrator under  
17                part 89 of title 40, Code of Federal Regulations  
18                (or any successor regulation), as meeting appli-  
19                cable emission standards.

20           (4) HEAVY-DUTY VEHICLE.—The term “heavy-  
21      duty vehicle” means a vehicle that—

22                (A) has a gross vehicle weight rating great-  
23                er than 8,500 pounds; and

24                (B) is powered by a diesel engine.



1 (5) IDLE REDUCTION TECHNOLOGY.—The term  
2 “idle reduction technology” means an advanced  
3 truck stop electrification system, auxiliary power  
4 unit, or other device or system of devices that—

5 (A) is used to reduce long-duration idling  
6 of a heavy-duty vehicle; and

7 (B) allows for the main drive engine or  
8 auxiliary refrigeration engine of a heavy-duty  
9 vehicle to be shut down.

10 (6) ENERGY CONSERVATION TECHNOLOGY.—  
11 the term “energy conservation technology” means  
12 any device, system of devices, or equipment that im-  
13 proves the fuel economy of a heavy-duty vehicle.

14 (7) LONG-DURATION IDLING.—

15 (A) IN GENERAL.—The term “long-dura-  
16 tion idling” means the operation of a main  
17 drive engine or auxiliary refrigeration engine of  
18 a heavy-duty vehicle, for a period greater than  
19 15 consecutive minutes, at a time at which the  
20 main drive engine is not engaged in gear.

21 (B) EXCLUSIONS.—The term “long-dura-  
22 tion idling” does not include the operation of a  
23 main drive engine or auxiliary refrigeration en-  
24 gine of a heavy-duty vehicle during a routine



1 stoppage associated with traffic movement or  
2 congestion.

3 (b) IDLE REDUCTION TECHNOLOGY BENEFITS, PRO-  
4 GRAMS, AND STUDIES.—

5 (1) IN GENERAL.—Not later than 90 days after  
6 the date of enactment of this Act, the Administrator  
7 shall—

8 (A)(i) commence a review of the mobile  
9 source air emission models of the Environ-  
10 mental Protection Agency used under the Clean  
11 Air Act (42 U.S.C. 7401 et seq.) to determine  
12 whether the models accurately reflect the emis-  
13 sions resulting from long-duration idling of  
14 heavy-duty vehicles and other vehicles and en-  
15 gines; and

16 (ii) update those models as the Adminis-  
17 trator determines to be appropriate; and

18 (B)(i) commence a review of the emission  
19 reductions achieved by the use of idle reduction  
20 technology; and

21 (ii) complete such revisions of the regula-  
22 tions and guidance of the Environmental Pro-  
23 tection Agency as the Administrator determines  
24 to be appropriate.



1           (2) DEADLINE FOR COMPLETION.—Not later  
2           than 180 days after the date of enactment of this  
3           Act, the Administrator shall—

4                   (A) complete the reviews under subpara-  
5                   graphs (A)(i) and (B)(i) of paragraph (1); and

6                   (B) prepare and make publicly available 1  
7                   or more reports on the results of the reviews.

8           (3) DISCRETIONARY INCLUSIONS.—The reviews  
9           under subparagraphs (A)(i) and (B)(i) of paragraph  
10          (1) and the reports under paragraph (2)(B) may ad-  
11          dress the potential fuel savings resulting from use of  
12          idle reduction technology.

13          (4) IDLE REDUCTION AND ENERGY CONSERVA-  
14          TION DEPLOYMENT PROGRAM.—

15                   (A) ESTABLISHMENT.—

16                           (i) IN GENERAL.—Not later than 90  
17                           days after the date of enactment of this  
18                           Act, the Administrator, in consultation  
19                           with the Secretary of Transportation shall,  
20                           through the Environmental Protection  
21                           Agency's SmartWay Transport Partner-  
22                           ship, establish a program to support de-  
23                           ployment of idle reduction and energy con-  
24                           servation technologies .





1 (ii) PRIORITY.—The Administrator  
2 shall give priority to the deployment of idle  
3 reduction and energy conservation tech-  
4 nologies based on the costs and beneficial  
5 effects on air quality and ability to lessen  
6 the emission of criteria air pollutants.

7 (B) FUNDING.—

8 (i) AUTHORIZATION OF APPROPRIA-  
9 TIONS.—There are authorized to be appro-  
10 priated to the Administrator to carry out  
11 subparagraph (A) \$19,500,000 for fiscal  
12 year 2006, \$30,000,000 for fiscal year  
13 2007, and \$45,000,000 for fiscal year  
14 2008.

15 (ii) COST SHARING.—Subject to clause  
16 (iii), the Administrator shall require at  
17 least 50 percent of the costs directly and  
18 specifically related to any project under  
19 this section to be provided from non-Fed-  
20 eral sources.

21 (iii) NECESSARY AND APPROPRIATE  
22 REDUCTIONS.—The Administrator may re-  
23 duce the non-Federal requirement under  
24 clause (ii) if the Administrator determines  
25 that the reduction is necessary and appro-

1           priate to meet the objectives of this sec-  
2           tion.

3           (5) IDLING LOCATION STUDY.—

4           (A) IN GENERAL.—Not later than 90 days  
5           after the date of enactment of this Act, the Ad-  
6           ministrator, in consultation with the Secretary  
7           of Transportation, shall commence a study to  
8           analyze all locations at which heavy-duty vehi-  
9           cles stop for long-duration idling, including—

- 10                   (i) truck stops;
- 11                   (ii) rest areas;
- 12                   (iii) border crossings;
- 13                   (iv) ports;
- 14                   (v) transfer facilities; and
- 15                   (vi) private terminals.

16           (B) DEADLINE FOR COMPLETION.—Not  
17           later than 180 days after the date of enactment  
18           of this Act, the Administrator shall—

- 19                   (i) complete the study under subpara-  
20                   graph (A); and
- 21                   (ii) prepare and make publicly avail-  
22                   able 1 or more reports of the results of the  
23                   study.

24           (c) VEHICLE WEIGHT EXEMPTION.—Section 127(a)  
25           of title 23, United States Code, is amended—



1 (1) by designating the first through eleventh  
2 sentences as paragraphs (1) through (11), respec-  
3 tively; and

4 (2) by adding at the end the following:

5 “(12) HEAVY DUTY VEHICLES.—

6 “(A) IN GENERAL.—Subject to subpara-  
7 graphs (B) and (C), in order to promote reduc-  
8 tion of fuel use and emissions because of engine  
9 idling, the maximum gross vehicle weight limit  
10 and the axle weight limit for any heavy-duty ve-  
11 hicle equipped with an idle reduction technology  
12 shall be increased by a quantity necessary to  
13 compensate for the additional weight of the idle  
14 reduction system.

15 “(B) MAXIMUM WEIGHT INCREASE.—The  
16 weight increase under subparagraph (A) shall  
17 be not greater than 400 pounds.

18 “(C) PROOF.—On request by a regulatory  
19 agency or law enforcement agency, the vehicle  
20 operator shall provide proof (through dem-  
21 onstration or certification) that—

22 “(i) the idle reduction technology is  
23 fully functional at all times; and

24 “(ii) the 400-pound gross weight in-  
25 crease is not used for any purpose other



1 than the use of idle reduction technology  
2 described in subparagraph (A).”.

3 (d) REPORT.—Not later than 60 days after the date  
4 on which funds are initially awarded under this section,  
5 and on an annual basis thereafter, the Administrator shall  
6 submit to Congress a report containing—

- 7 (1) an identification of the grant recipients, a  
8 description of the projects to be funded and the  
9 amount of funding provided; and  
10 (2) an identification of all other applicants that  
11 submitted applications under the program.

In title VIII, after section 810, insert the following  
and make the necessary conforming changes in the table  
of contents:

12 **SEC. 811. HYDROGEN FUEL CELL BUSES.**

13 The Secretary of Energy, through the advanced vehi-  
14 cle technologies program, in coordination with the Sec-  
15 retary of Transportation, shall advance the development  
16 of fuel cell bus technologies by providing funding for 4  
17 demonstration sites that—

- 18 (1) have or will soon have hydrogen infrastruc-  
19 ture for fuel cell bus operation; and  
20 (2) are operated by entities with experience in  
21 the development of fuel cell bus technologies, to en-  
22 able the widespread utilization of fuel cell buses.



1 Such demonstrations shall address the reliability of fuel  
2 cell heavy-duty vehicles, expense, infrastructure, contain-  
3 ment, storage, safety, training, and other issues.

In title IX, subtitle F, chapter 1, add at the end the  
following new sections:

4 **SEC. 968A. WESTERN MICHIGAN DEMONSTRATION**  
5 **PROJECT.**

6 The Administrator of the Environmental Protection  
7 Agency, in consultation with the State of Michigan and  
8 affected local officials, shall conduct a demonstration  
9 project to address the effect of transported ozone and  
10 ozone precursors in Southwestern Michigan. The dem-  
11 onstration program shall address projected nonattainment  
12 areas in Southwestern Michigan that include counties with  
13 design values for ozone of less than .095 based on years  
14 2000 to 2002 or the most current 3-year period of air  
15 quality data. The Administrator shall assess any difficul-  
16 ties such areas may experience in meeting the 8 hour na-  
17 tional ambient air quality standard for ozone due to the  
18 effect of transported ozone or ozone precursors into the  
19 areas. The Administrator shall work with State and local  
20 officials to determine the extent of ozone and ozone pre-  
21 cursor transport, to assess alternatives to achieve compli-  
22 ance with the 8 hour standard apart from local controls,  
23 and to determine the timeframe in which such compliance

1 could take place. The Administrator shall complete this  
2 demonstration project no later than 2 years after the date  
3 of enactment of this section and shall not impose any re-  
4 quirement or sanction that might otherwise apply during  
5 the pendency of the demonstration project.

6 **SEC. 968B. WESTERN HEMISPHERE ENERGY COOPERATION.**

7 (a) PROGRAM.—The Secretary shall carry out a pro-  
8 gram to promote cooperation on energy issues with West-  
9 ern Hemisphere countries.

10 (b) ACTIVITIES.—Under the program, the Secretary  
11 shall fund activities to work with Western Hemisphere  
12 countries to—

13 (1) assist the countries in formulating and  
14 adopting changes in economic policies and other poli-  
15 cies to—

16 (A) increase the production of energy sup-  
17 plies; and

18 (B) improve energy efficiency; and

19 (2) assist in the development and transfer of  
20 energy supply and efficiency technologies that would  
21 have a beneficial impact on world energy markets.

22 (c) UNIVERSITY PARTICIPATION.—To the extent  
23 practicable, the Secretary shall carry out the program  
24 under this section with the participation of universities so  
25 as to take advantage of the acceptance of universities by

1 Western Hemisphere countries as sources of unbiased  
2 technical and policy expertise when assisting the Secretary  
3 in—

4 (1) evaluating new technologies;

5 (2) resolving technical issues;

6 (3) working with those countries in the develop-  
7 ment of new policies; and

8 (4) training policymakers, particularly in the  
9 case of universities that involve the participation of  
10 minority students, such as Hispanic-serving institu-  
11 tions and Historically Black Colleges and Univer-  
12 sities.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to carry out this  
15 section—

16 (1) \$8,000,000 for fiscal year 2006;

17 (2) \$10,000,000 for fiscal year 2007;

18 (3) \$13,000,000 for fiscal year 2008;

19 (4) \$16,000,000 for fiscal year 2009; and

20 (5) \$19,000,000 for fiscal year 2010.

21 **SEC. 968C. ARCTIC ENGINEERING RESEARCH CENTER.**

22 (a) IN GENERAL.—The Secretary of Energy (referred  
23 to in this section as the “Secretary”) in consultation with  
24 the Secretary of Transportation and the United States  
25 Arctic Research Commission shall provide annual grants



1 to a university located adjacent to the Arctic Energy Of-  
2 fice of the Department of Energy, to establish and operate  
3 a university research center to be headquartered in Fair-  
4 banks and to be known as the "Arctic Engineering Re-  
5 search Center" (referred to in this section as the "Cen-  
6 ter").

7 (b) PURPOSE.—The purpose of the Center shall be  
8 to conduct research on, and develop improved methods of,  
9 construction and use of materials to improve the overall  
10 performance of roads, bridges, residential, commercial,  
11 and industrial structures, and other infrastructure in the  
12 Arctic region, with an emphasis on developing—

13 (1) new construction techniques for roads,  
14 bridges, rail, and related transportation infrastruc-  
15 ture and residential, commercial, and industrial in-  
16 frastructure that are capable of withstanding the  
17 Arctic environment and using limited energy re-  
18 sources as efficiently as possible;

19 (2) technologies and procedures for increasing  
20 road, bridge, rail, and related transportation infra-  
21 structure and residential, commercial, and industrial  
22 infrastructure safety, reliability, and integrity in the  
23 Arctic region;

24 (3) new materials and improving the perform-  
25 ance and energy efficiency of existing materials for





1 the construction of roads, bridges, rail, and related  
2 transportation infrastructure and residential, com-  
3 mercial, and industrial infrastructure in the Arctic  
4 region; and

5 (4) recommendations for new local, regional,  
6 and State permitting and building codes to ensure  
7 transportation and building safety and efficient en-  
8 ergy use when constructing, using, and occupying  
9 such infrastructure in the Arctic region.

10 (c) OBJECTIVES.—The Center shall carry out—

11 (1) basic and applied research in the subjects  
12 described in subsection (b), the products of which  
13 shall be judged by peers or other experts in the field  
14 to advance the body of knowledge in road, bridge,  
15 rail, and infrastructure engineering in the Arctic re-  
16 gion; and

17 (2) an ongoing program of technology transfer  
18 that makes research results available to potential  
19 users in a form that can be implemented.

20 (d) AMOUNT OF GRANT.—For each of fiscal years  
21 2006 through 2011, the Secretary shall provide a grant  
22 in the amount of \$3,000,000 to the institution specified  
23 in subsection (a) to carry out this section.



1 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$3,000,000 for each of fiscal years 2006 through 2011.

4 **SEC. 968D. BARROW GEOPHYSICAL RESEARCH FACILITY.**

5 (a) ESTABLISHMENT.—The Secretary of Commerce,  
6 in consultation with the Secretaries of Energy and the In-  
7 terior, the Director of the National Science Foundation,  
8 and the Administrator of the Environmental Protection  
9 Agency, shall establish a joint research facility in Barrow,  
10 Alaska, to be known as the “Barrow Geophysical Research  
11 Facility”, to support scientific research activities in the  
12 Arctic.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to the Secretaries of  
15 Commerce, Energy, and the Interior, the Director of the  
16 National Science Foundation, and the Administrator of  
17 the Environmental Protection Agency for the planning,  
18 design, construction, and support of the Barrow Geo-  
19 physical Research Facility \$61,000,000.

In section 970(d), amend paragraph (3) to read as  
follows:

20 (3) REQUIREMENT OF SECTION 501(c)(3) STA-  
21 TUS.—The Secretary shall not select a consortium  
22 under this section unless such consortium is an or-  
23 ganization described in section 501(c)(3) of the In-

1        ternal Revenue Code of 1986 and exempt from tax  
2        under such section 501(a) of such Code.

In section 1236, adding a new section 217 to the Federal Power Act, insert a period before the final closing quotation marks.

In section 1252(a) and in section 1252(b), strike “Public Utilities” and insert “Public Utility”.

In section 1254(b)(1), in the amendment to section 112(b) of the Public Utility Regulatory Policies Act of 1978, strike “(3)(A)” and insert “(5)(A)”.

In section 1254(b)(2), strike “112(d) f” and insert “112(d) of”.

In title XII, in section 1274(a), after “for” strike “section” and insert “sections 1269 (relating to effect on other regulations), 1270 (relating to enforcement), 1271 (relating to savings provisions), and”.

In title XII, amend section 1298 to read as follows:

3    **SEC. 1298. ECONOMIC DISPATCH.**

4        Part II of the Federal Power Act (16 U.S.C. 824 et  
5        seq.) is amended by adding at the end the following:

6    **“SEC. 223. JOINT BOARDS ON ECONOMIC DISPATCH.**

7        “(a) IN GENERAL.—The Commission shall convene  
8        joint boards on a regional basis pursuant to section 209

1 of this Act to study the issue of security constrained eco-  
2 nomic dispatch for the various market regions. The Com-  
3 mission shall designate the appropriate regions to be cov-  
4 ered by each such joint board for purposes of this section.

5 “(b) MEMBERSHIP.—The Commission shall request  
6 each State to nominate a representative for the appro-  
7 priate regional joint board, and shall designate a member  
8 of the Commission to chair and participate as a member  
9 of each such board.

10 “(c) POWERS.—The sole authority of each joint  
11 board convened under this section shall be to consider  
12 issues relevant to what constitutes ‘security constrained  
13 economic dispatch’ and how such a mode of operating an  
14 electric energy system affects or enhances the reliability  
15 and affordability of service to customers in the region con-  
16 cerned and to make recommendations to the Commission  
17 regarding such issues.

18 “(d) REPORT TO THE CONGRESS.—Within one year  
19 after enactment of this section, the Commission shall issue  
20 a report and submit such report to the Congress regarding  
21 the recommendations of the joint boards under this section  
22 and the Commission may consolidate the recommenda-  
23 tions of more than one such regional joint board, including  
24 any consensus recommendations for statutory or regu-  
25 latory reform.”.



In section 1443, in the amendment adding subsection (d) to section 181 of the Clean Air Act, in paragraph (4), strike “If, no more than 18 months prior to the date of enactment of this subsection” and insert “If, after April 1, 2003” and strike “within 12 months after the date of enactment of this subsection”.

In title XIV, in section 1446, strike “as defined under section 2(a)(1)(A)” and insert “identified under section 2(a)(1)(B)” and strike “2720(a)(1)(A)” and insert “2720(a)(1)(B)”.

In title XV, in section 1505(a), strike “The review shall be completed no later than May 31, 2014” and insert “The review shall commence after May 31, 2013, and shall be completed no later than May 31, 2014”.

In section 1505(b), strike “No later” and insert “After completion of the review under subsection (a) and no later”.

In section 1510, in subparagraph (G) of subsection (a)(2), after “vehicle emission systems,” insert “on-road and off-road diesel rules,” and after “imposed by” insert “the Federal Government,”.

In section 1510(b)(1), strike “2007” and insert “2009”.




In title XV, in section 1530, in subsection (a) adding a new subsection (i) to section 9003 of the Solid Waste Disposal Act, strike subparagraph (G) of paragraph (1) of such new subsection (i) and insert a period at the end of subsection (b).

In title XV, in section 1531, in the amendment adding new section 9014 to the Solid Waste Disposal Act, in paragraph (2)(C) strike “9004(f)” and insert “9003(i), 9004(f),” and in paragraph (2)(D) strike “9011 and 9012” and insert “9010, 9011, 9012, and 9013”.

In section 1541(c)(2), strike “preserves air quality standards” and insert “addresses air quality requirements”.

In section 1541(c)(2), strike “that results” and insert “including that which has resulted”.

In section 1541(c), insert the following new paragraph after paragraph (2) and redesignate the following paragraphs accordingly:

- 
- 1           (3) CONDUCT OF STUDY.—In carrying out their  
2       joint duties under this section, the Administrator  
3       and the Secretary shall use sound science and objec-  
4       tive science practices, shall consider the best avail-  
5       able science, shall use data collected by accepted

1 means and shall consider and include a description  
2 of the weight of the scientific evidence. The Adminis-  
3 trator and the Secretary shall coordinate the study  
4 required by this section with other studies required  
5 by the act and shall endeavor to avoid duplication of  
6 effort with regard to such studies.

In section 1541(c)(4) (as redesignated by the pre-  
ceding amendment), strike the sentence beginning with  
"The Administrator shall use sound".

In the heading of title XVII, insert "**—RE-  
SOURCES**" at the end (and amend the table of con-  
tents accordingly).

In the heading of title XIX, insert "**—RE-  
SOURCES**" at the end (and amend the table of con-  
tents accordingly).

Strike section 2026 (and amend the table of con-  
tents accordingly).

In the heading of title XXI, insert "**—RE-  
SOURCES**" at the end (and amend the table of con-  
tents accordingly).

Redesignate title XXV as title XXIV, and redesign-  
ate sections 2501 through 2506 as sections 2401  
through 2406, respectively (and amend the table of con-  
tents accordingly).



Redesignate section 2601 as section 2055, and move it to the end of subtitle D of title XX.

Redesignate section 2602 as section 112, and move it to the end of subtitle A of title I.

Strike the remainder of title XXVI.

